

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,
Plaintiff,

v.

No. 3:23-CV-01212

AN EASEMENT AND RIGHT-OF-WAY
OVER 1.89 ACRES OF LAND, MORE OR
LESS, IN MONTGOMERY COUNTY,
TENNESSEE, and
SANDERSON PIPE CORPORATION,
a Delaware corporation,
Defendants.

JUDGMENT AND ORDER DISBURSING FUNDS

This action came before the Court on the Motion for Entry of a Proposed Judgment and Order Disbursing Funds. As set forth in the joint motion, Plaintiff and Defendant Sanderson Pipe Corporation, a Delaware corporation, have agreed to resolve this action with the total amount of compensation to be awarded for the condemned property rights being \$298,000. The record of this case further shows that Plaintiff has deposited with the registry of this Court the total amount of \$298,000, the disbursement of which is provided for herein.

It is, therefore, **ORDERED AND ADJUDGED** that:

1. Defendants shall recover from the Plaintiff \$298,000 as full compensation for the taking of the property rights herein condemned, and Defendant Sanderson Pipe Corporation shall receive all of that amount.

2. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the principal amount of \$298,000, plus any accrued interest thereon less the applicable registry fee payable to "Sanderson Pipe Corporation" and to mail said check to R. Alex Dickerson, Esq., Thompson Burton, PLLC, 1801 West End Avenue,

Suite 1550, Nashville, Tennessee 37203, in full satisfaction of this Judgment and Order Disbursing Funds (“Judgment”). The disbursement and release of such funds to the payee is conditioned on the payee providing a signed and completed IRS W-9 Form with a social security or tax identification number to the Tennessee Valley Authority who shall provide the signed and completed IRS W-9 Form to the Clerk of this Court.

3. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on November 17, 2023 (Doc. 2), is hereby fully and finally confirmed with respect to the following-described property rights, said description being the same as in Attachment 1 to the Declaration of Taking filed herein (Doc. 2-1):

Permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards; to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any line, structure, appurtenance, facility, or conductor (including structures and conductors being on and over adjacent land), the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

TRACT NO. SPTM-4C

A strip of land located in the Sixth Civil District of Montgomery County, State of Tennessee, as shown on a map entitled “Montgomery– Clarksville No. 3 Transmission Line Tap to Microvast, TN. Substation,” drawing LW-9028, sheet P1A, R.0, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Beginning at a point where the centerline of the location crosses the common line of Sanderson Pipe Corporation and Steel Stock Road, at survey station 4+99.20; thence N. 81° 10' 25" W., 166.59 feet to a point of intersection at survey station 6+65.79 and having state plane coordinates of North:822415.41 East:1600056.76; thence N. 49° 11' 36" W., 654.60 feet to a point of ending on the centerline of the location at station 13+20.39 and being the right-of-way line of International Boulevard; the herein described strip being bounded on the east by Steel Stock Road and on the west by International Boulevard, the ends of said strip are shortened or extended to said property lines.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 821.19 feet and contains 1.89 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 6+65.79.

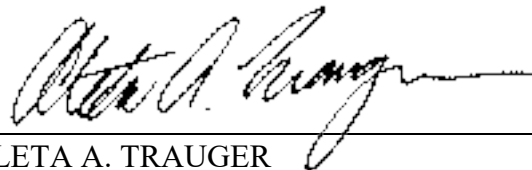
Furthermore, the easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract No. SPTM-4B, Montgomery County, Tennessee (Steel Stock Road), said right of way shown on the map referenced above.

Furthermore, the easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract No. SPTM-4D, Montgomery County, Tennessee (International Boulevard), said right of way shown on the map referenced above.

The coordinates, distances and directions of lines are referred to the Tennessee 4100 State Plane Coordinate System, NAD83(2011) Horizontal Datum, NAVD88 (Geoid18) Vertical Datum.

4. The Clerk of this Court shall furnish to Plaintiff a certified copy of this Judgment which shall serve as a muniment of title. The Clerk of this Court shall administratively terminate and close this action.

It is so **ORDERED**.



ALETA A. TRAUGER
UNITED STATES DISTRICT JUDGE

We hereby approve and consent
to the entry of this Judgment and
Order Disbursing Funds:

s/Sydney D. Nenni

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